

**In-Custody Death of Raymond Vance Hammond**

**Los Angeles Police Department**

**Officer Osvaldo Zambrano, #40408, Officer Amber Findley, #41012,  
Officer Joseph Raviol, #40541**

**J.S.I.D. File #17-0166**



**JACKIE LACEY**

**District Attorney**

**Justice System Integrity Division**

**October 28, 2019**

## **MEMORANDUM**

TO: COMMANDER ROBERT E. MARINO  
Los Angeles Police Department  
Force Investigation Division  
100 West First Street, Suite 431  
Los Angeles, California 90012

FROM: JUSTICE SYSTEM INTEGRITY DIVISION  
Los Angeles County District Attorney's Office

SUBJECT: In-Custody Death of Raymond Vance Hammond  
J.S.I.D. File #17-0166  
L.A.P.D. File #F022-17

DATE: October 28, 2019

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the March 29, 2017, in-custody death of Raymond Vance Hammond involving Los Angeles Police Department (LAPD) Officers Osvaldo Zambrano, Amber Findley, and Joseph Raviol. It is our conclusion that the officers used reasonable force under the circumstances and are not criminally responsible for Hammond's death.

The District Attorney's Command Center was notified of this in-custody death on March 30, 2017, at approximately 1:32 a.m. The District Attorney Response Team did not respond to the location. At the time of the in-custody death notification, no details surrounding his death were known. After the investigation was completed, L.A.P.D. notified this office that force was used by officers prior to Hammond's death.

The following analysis is based on reports, recorded interview transcripts, photographs, and surveillance videos submitted to this office by the LAPD Force Investigation Division.

### **FACTUAL ANALYSIS**

On March 29, 2017, Raymond Vance Hammond was at his residence, located in the City of Sunland. He lived there with his roommates Deana A. and Chris C., both of whom were present at the start of the incident. In the evening, Deana A. asked Hammond to change a lightbulb that was burnt out on their front porch. Hammond grinned at her, grabbed a lightbulb, held it over his head, and ran out of the house into the neighborhood. Deana A. observed Hammond running and screaming unintelligibly from house to house. Deana A. became concerned for her safety due to Hammond's erratic behavior, so she locked the screen door and closed the front door to prevent Hammond from reentering.

A short time later, Hammond returned home and kicked open the locked screen and front door. Chris C. confronted Hammond and prevented him from continuing into the residence. When Hammond left, he grabbed portions of the broken door frame, two long sticks, and waived them back and forth as he ran down the street. At 9:41 p.m., the police received several 9-1-1 calls from neighbors describing Hammond's erratic and dangerous behavior.

Shortly thereafter, Joseph D. drove southbound on Oro Vista Avenue, just south of Kyle Street. He observed Hammond walking south on Oro Vista Avenue, in the northbound lanes of traffic, swinging the sticks at passing vehicles. Per Joseph D., the vehicles had to swerve into opposing traffic to avoid Hammond. At 9:59 p.m., Joseph D. pulled into the Sunland Neighborhood Church parking lot and called 9-1-1 to report his observations.<sup>1</sup> Joseph D. added that Hammond appeared to be under the influence of a narcotic and was possibly foaming at the mouth.

At 10:00 p.m., LAPD Communications broadcasted the first radio call to surrounding LAPD units. The broadcast stated that a violent male with mental illness was on Quill Avenue.<sup>2</sup> At 10:02 p.m., LAPD Communications broadcasted the second radio call to surrounding LAPD units. The broadcast stated that "ADW suspect there now. Oro Vista just south of Hillrose in front of the church. Suspect is a male white, 20 to 30 years, dark jacket, white shirt, dark shorts. Possibly under the influence of unknown type narcotic, swinging sticks, attempting to hit passing vehicles."<sup>3</sup>

At approximately 10:01 p.m., surveillance video from Sunland Massage captured Hammond walking eastbound on Foothill Boulevard, just east of Oro Vista Road.<sup>4</sup> In the surveillance footage, Hammond is seen walking in the street waving two long sticks back and forth. See *Figure 1*.



*Figure 1: At approximately 10:01 p.m., surveillance captures Hammond walking eastbound on Foothill Boulevard, swinging sticks back and forth.*

<sup>1</sup> Sunland Neighborhood Church is located 10632 Oro Vista Avenue.

<sup>2</sup> This broadcast was from the original 9-1-1 call made when Hammond was still near his residence around 9:41 p.m. Hammond was now a few blocks south of his residence.

<sup>3</sup> ADW is short for assault with a deadly weapon.

<sup>4</sup> Sunland Massage is located at 8350 Foothill Boulevard.

At approximately 10:04 p.m., the same surveillance camera from Sunland Massage captured Hammond walking westbound on the south sidewalk of Foothill Boulevard. In the surveillance footage, Hammond is seen walking while waving two long sticks back and forth. See *Figure 2*.



*Figure 2: At approximately 10:04 p.m., surveillance captures Hammond walking westbound on the south sidewalk of Foothill Boulevard, swinging sticks back and forth.*

Hammond then crossed Foothill Boulevard and entered the parking lot of a 7-Eleven located at 8363 Foothill Boulevard. Gregory G. was standing in the parking lot of the 7-Eleven store and observed Hammond walk onto the 7-Eleven property holding two sticks in a cross formation. Gregory G. observed foam coming out of Hammond's mouth. He heard Hammond state that "he's been accused of raping Mother Mary by God."<sup>5</sup>

At approximately 10:06 p.m., Hammond entered the 7-Eleven store.<sup>6</sup> See *Figure 3*.



*Figure 3: At approximately 10:06 p.m., Hammond entered the 7-Eleven store holding the two sticks.*

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<sup>5</sup> Gregory G. stated he has known Hammond for 32 years.

<sup>6</sup> Off-duty Officer Joseph Raviol first observed Hammond in the parking of the 7-Eleven. At approximately 10:06 p.m. Raviol called 9-1-1 and stated, "I got a man... at the 7-Eleven, waving two sticks... going in and out of store frightening people. I'm just standing by making sure he doesn't hurt anybody."



Rebeca P., a clerk inside the 7-Eleven, was working when Hammond entered. She recognized Hammond from previous contacts, however, Hammond never caused any trouble in the past. She stated when Hammond entered, he was carrying two wooden sticks. Hammond placed the sticks in a cross formation and stated he was blessing the store. See *Figure 4*.



*Figure 4: Hammond placed the sticks in a cross formation.*

Rebeca P. stated Hammond did not strike any customers with the sticks. However, he would stand behind them causing the customers to be in fear. See *Figure 5*.



*Figure 5: Hammond placed sticks in a cross formation and stood behind customers.*

At approximately 10:07 p.m., Gregory G., opened the door to the 7-Eleven and told Hammond to leave. At 10:08 p.m., Hammond walked out of the 7-Eleven. See *Figure 6*.



*Figure 6: At approximately 10:08 p.m., Hammond walked out of the 7-Eleven*

Once outside, Hammond continued to walk around the parking lot waving the sticks. At approximately 10:10 p.m., Hammond walked south through the parking lot towards the street and out of camera view. He continued to swing the sticks as he left. See *Figure 7*.



*Figure 7: Hammond exited the 7-Eleven parking lot swinging the sticks.*



Hammond then walked across Oro Vista Avenue to the Jack in the Box located at 8405 Foothill Boulevard.<sup>7</sup> Surveillance footage from the Shell gas station located at 8404 Foothill Boulevard, captured his movements as he entered the parking lot waving the sticks.<sup>8</sup> See *Figure 8*.



*Figure 8: Hammond entered the Jack in the Box parking lot swinging the sticks.*

Hammond entered the east door of the Jack in the Box where he remained inside for approximately two minutes. Hammond then exited the Jack in the Box and stood in the driveway holding the two sticks. Officers Amber Findley and Osvaldo Zambrano arrived on scene at approximately 10:18 p.m. and activated their overhead emergency equipment and spotlight. Findley ordered Hammond to drop the sticks, and Hammond complied. Hammond then laid down on the sidewalk, slightly onto his right side. See *Figure 9*.



*Figure 9: Hammond laid down after he dropped the sticks.*

<sup>7</sup> Jack in the box is located at the northwest corner of Foothill Boulevard and Oro Vista Avenue and 7-Eleven is located at the northeast corner.

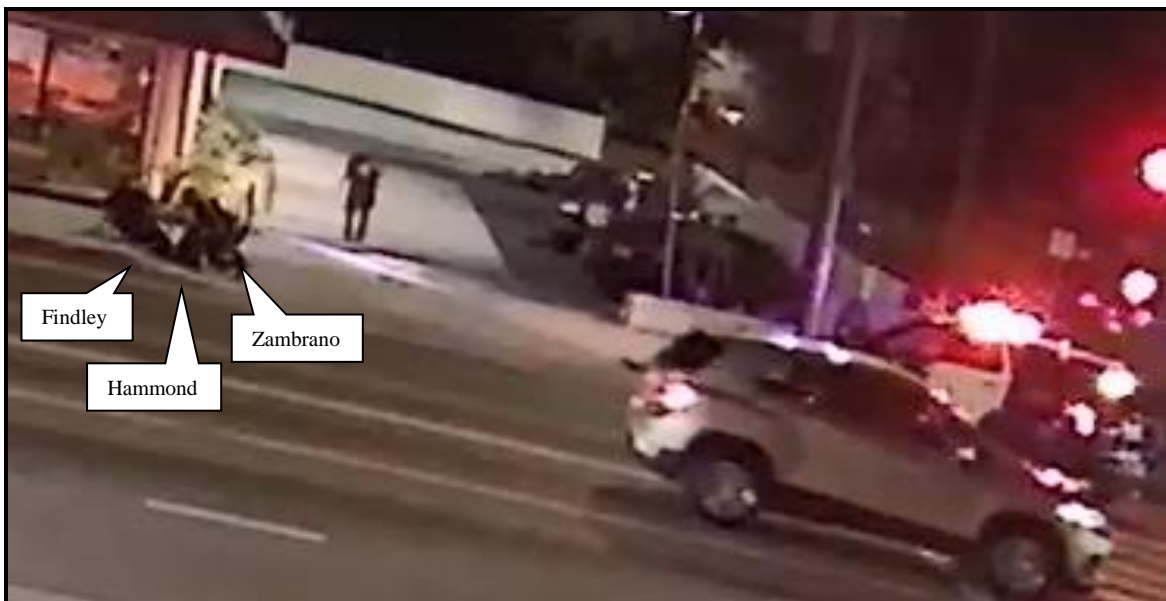
<sup>8</sup> Although the Jack in the Box had numerous cameras on the exterior and interior of the restaurant, according to the manager, the only camera that was operational at the time of the incident was positioned to overlook the cash registers. Therefore, there was no video obtained from the Jack in the Box. The only video of the subsequent arrest was from the Shell gas station located across the street.

Zambrano and Findley approached Hammond. Zambrano, armed with a beanbag shotgun, slung the shotgun over his shoulder as they approached Hammond who was lying on the ground. See *Figure 10*.



*Figure 10: Zambrano slung his beanbag shotgun over his shoulder as they approach to arrest Hammond.*

When the officers reached Hammond, Zambrano placed his right knee on Hammond's back, while grabbing Hammond's left arm. Findley walked around Hammond, grabbed his right arm and placed it between her legs as she knelt on the right side of his back. As Zambrano began to handcuff Hammond, Hammond pulled his arm away from Findley. Findley then attempted to get her handcuffs out in an attempt to cuff his right wrist. Hammond bucked his body which caused Findley to fall backwards off of him. See *Figure 11*.



*Figure 11: Findley fell backwards off of Hammond.*



Zambrano placed himself on top of Hammond, who continued to struggle, while Findley held onto to Hammond's legs. Both officers continued to struggle with Hammond when Raviol approached and assisted officers. See *Figure 12*. Raviol took hold of Hammond's right arm which allowed Findley to handcuff Hammond. Nevertheless, Hammond kept kicking his legs so Findley placed a hobble restraint device (HRD) around Hammond's legs.



*Figure 12: Raviol walked up and assisted officers who were struggling to arrest Hammond.*

Gregory G. was present for the entire arrest and his statement corroborated officers account of Hammond's arrest. Gregory G. stated that when Hammond was on the ground, he attempted to crawl away from the officers. Officers continually told Hammond to "lay down" and "let us help you," however Hammond did not comply. Findley then "bear hugged" Hammond's legs and placed her upper body on top of them to hold Hammond down. Zambrano attempted to place Hammond's hands behind his back, but he kept resisting. At this time, the officers placed an HRD around Hammond's ankles. Afterwards, the officers were able to handcuff Hammond.

From the time Hammond proned himself out to the time officers handcuffed Hammond, approximately five minutes thirty seconds elapsed. At 10:23 p.m., Zambrano walked back to the police vehicle, returned the beanbag shotgun, and broadcast to dispatch "Suspect in custody, Oro Vista and Foothill. Can you get an RA rolling for a man approximately 50 years old, suffering from overdose, he's conscious and breathing."<sup>9</sup>

At this time Findley and Raviol placed Hammond onto his right side. Sergeant Anthony Azevedo, Officer Nathan Schraer, and Officer Katherine O'Brien arrived on scene, as well as Los Angeles City Fire Department (LAFD) personnel. Azevedo noted that the arresting officers were attempting to keep Hammond on his right side, however, Hammond appeared to be struggling with them. According to Schraer, Hammond was

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<sup>9</sup> RA is an abbreviation for rescue ambulance.

rocking from side to side and most of Hammond's weight was on his right side. Azevedo, noting that Raviol was an off-duty officer, relieved him of his duty and assigned Schraer to assume Raviol's position with Hammond. Schraer took Raviol's place and put his right hand on Hammond's jacket, near his left shoulder and placed his knee on top of Hammond's right arm to "stabilize" him.

Detective Mathew Stuart and Officer Damien Creel arrived on scene. When they approached on foot, Stuart observed Hammond arguing with the arresting officers and mumbling incoherently. Stuart noted that Hammond was lying on the right side of his stomach, face down, and was struggling with the officers by trying to jerk himself away. Creel stated that as Hammond was being held in place, Hammond shook himself and tried to arch his back. Creel knelt next to Hammond and attempted to calm him down, to which Hammond replied, "Fuck you."

At about 10:30 p.m., LAFD Captain James Stewart and Paramedic Lonnie Lopez arrived on scene in LAFD Engine 74, to assess and treat Hammond. Per Stewart, it appeared that Hammond was not resisting or struggling with officers. Lopez, however, stated that Hammond was "forcefully" resisting officers, mumbling, and yelling. It appeared to Lopez that Hammond was "forcefully" trying to get out of his restraints. Due to Hammond's active resistance, Lopez decided to wait to assess Hammond. Lopez then observed Hammond show signs of shallow breathing and noticed he appeared to be going unconscious.<sup>10</sup> Lopez requested Hammond's handcuffs be removed and Stewart decided that life support protocols were required.

At approximately 10:35 p.m., LAFD paramedic Sean Dailey arrived on scene in a LAFD rescue ambulance. Dailey saw Lopez evaluating Hammond. There were no restraints on Hammond and it appeared he was not breathing. Artificial breathing was initiated, Hammond was put onto a gurney, and put in the rescue ambulance.

At approximately 10:46 p.m., Hammond was transported to Pacifica Hospital of the Valley. He arrived at approximately 10:55 p.m. At the hospital, Hammond failed to respond to medical treatment. At 11:16 p.m., Hammond was pronounced dead.

This entire incident lasted over 30 minutes during which Hammond walked approximately one mile from his residence to the Jack in the Box, with a stop at the 7-Eleven. See *Figure 13*.

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<sup>10</sup> Per Lopez, he had previously treated Hammond multiple times for psychological and drug or alcohol related medical issues.

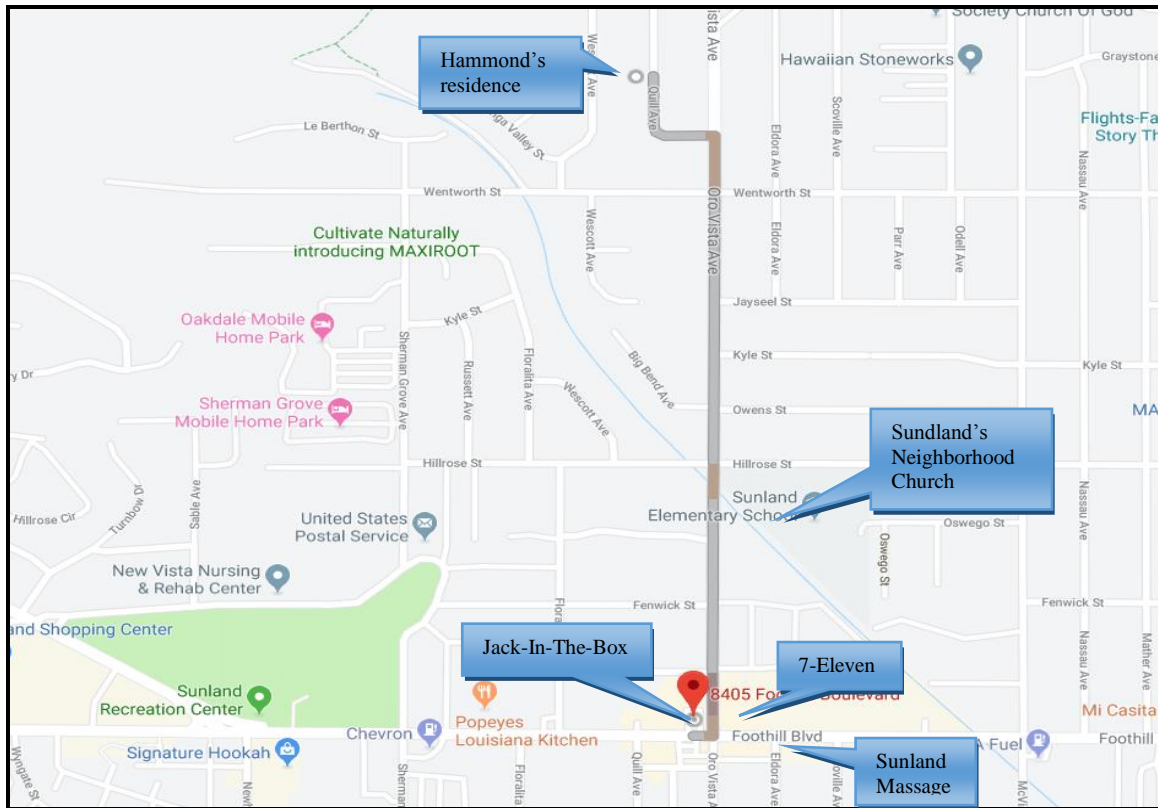


Figure 13: Map overview of the path Hammond walked with the sticks threatening passing vehicles.

On April 5, 2017, Los Angeles County Coroner Deputy Medical Examiner Dr. Ogbonna Chinwah performed an autopsy on Hammond. Dr. Chinwah ascribed the cause of Hammond's death as acute cardia dysfunction due to idiopathic cardiomyopathy with a contributing factor of methamphetamine effect. Dr. Chinwah ascribed the manner of death to be an accident. An analysis of Hammond's femoral blood showed Hammond had .06 ug/mL of amphetamine and 2.4 ng/mL of methamphetamine at the time of his death. An analysis of his heart blood showed Hammond had .12 ug/mL of amphetamine and 3.5 ug/mL of methamphetamine in his blood at the time of his death.

On April 16, 2019, Dr. Odey Ukpo was telephonically interviewed regarding his opinion about Hammond's cause of death.<sup>11</sup> Dr. Ukpo opined that there was no way to conclude that the use of the HRD caused or contributed to Hammond's death. Dr. Ukpo stated that the use of a HRD can cause breathing issues, however, in this case no asphyxiation occurred.

Dr. Ukpo clarified that idiopathic cardiomyopathy is a dangerous heart disease where the subject develops an enlarged heart. An individual suffering from such a condition is at high risk for developing an arrhythmia, a lethal heart rhythm, any time that individual's heart rate becomes elevated. When a person's heart rate increases with this condition, potassium levels in the blood drop very low, which increases the risk for a heart arrhythmia. As long as a person is excited, their adrenaline hormones protect their heart.

<sup>11</sup> Dr. Chinwah had retired as of this date, so Dr. Ukpo reviewed the autopsy reports and gave his opinion.



It is not until the subject starts calming down that the adrenaline supply stops and the low potassium creates a heart arrhythmia. Dr. Ukpo finally explained that the levels of methamphetamine in Hammond's system contributed to the cardia dysfunction by increasing Hammond's heart rate once ingested.<sup>12</sup>

Dr. Ukpo explained that Hammond's behavior before the use of the HRD – ingesting methamphetamine and physically resisting arrest – put Hammond at great danger due to his enlarged heart. Dr. Ukpo stated that it would be just as likely for Hammond to die in the same fashion if his heart rate had become elevated due to an innocuous activity, such as gardening. For those reasons, Dr. Ukpo opined the hobble technique did not cause the death of Hammond.

## LEGAL ANALYSIS

“An officer may use reasonable force to make an arrest, prevent escape or overcome resistance, and need not desist in the face of resistance.” *Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1102. “Unlike private citizens, police officers act under color of law to protect the public interest. They are charged with acting affirmatively and using force as part of their duties, because the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.” *Id.* (citations and internal quotations omitted). When protecting the public peace, a police officer “is entitled to the even greater use of force than might be in the same circumstances required for self-defense.” *Id.* “The question is whether a peace officer's actions were objectively reasonable based on the facts and circumstances confronting the peace officer.” *Id.*, at 1102. “The test is highly deferential to the police officer's need to protect himself and others.” *Id.*

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer “may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him.” *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

An act causes death if the death is the direct, natural and probable consequence of the act and the death would not have happened without the act. *CALCRIM No. 582*

The evidence examined in this investigation shows the officers used only the force necessary to arrest Hammond. Over the course of 30 minutes, Hammond walked approximately one mile from his residence to the Jack in the Box, with a stop at the 7-Eleven. He threatened passing vehicles with the two wooden sticks he was carrying.

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<sup>12</sup> These levels of methamphetamine can be considered toxic. Dr. Upko stated he has seen overdoses with these levels found in Hammond's body at the time of death. Dr. Upko further clarified that these levels of methamphetamine could kill a healthy person not suffering from idiopathic cardiomyopathy.

Based upon the information contained in the numerous 9-1-1 calls and Raviol's personal observations of Hammond, Zambrano and Findley had reasonable suspicion to detain Hammond.

When Zambrano and Findley arrived on scene, Hammond seemingly gave himself up by dropping the sticks and lying face down on the Jack in the Box driveway. As the officers attempted to handcuff Hammond, he resisted arrest by flinging himself back and forth. This fact is corroborated by Gregory G., Stuart, Creel, Lopez, and the Shell gas station surveillance footage. In response, officers used a HRD to assist them in securing Hammond. Given his physical resistance, the officers' decision to use the HRD was reasonable under these circumstances.

Moreover, the People cannot prove that the officers' actions caused Hammond's death. Hammond's death was caused by a heart arrhythmia, which was a direct result of Hammond suffering from a idiopathic cardiomyopathy, which was compounded by Hammond's methamphetamine use. Since Hammond's death was not caused by the use of the HRD, we cannot prove beyond a reasonable doubt that the officers are responsible for his death.

## **CONCLUSION**

Based upon the foregoing analysis, we find Officers Zambrano, Findley, and Raviol acted lawfully and are not criminally responsible for Hammond's death. We further find that their actions did not cause Hammond's death. We are closing our file and will take no further action in this matter.